

Supplemental Exhibit 1

THE HONORABLE R. GARY KLAUSNER, JUDGE PRESIDING

SONY CORPORATION,)
 PLAINTIFF,)
 vs.) CASE NO. CV 08-1135-RGK
))
 VIZIO, INC.,)
 DEFENDANTS.)
)

LOS ANGELES, CALIFORNIA

MONDAY, APRIL 6, 2009

LYNNE NICHOLSON
OFFICIAL COURT REPORTER
ROYBAL FEDERAL BUILDING
255 EAST TEMPLE STREET
ROOM 181-A
LOS ANGELES, CALIFORNIA

UNITED STATES DISTRICT COURT

1 what their policies are back there, what their reasons are.

2 MR. DeFRANCO: I understand, Your Honor. We are
3 certainly willing to go forward in January. We actually put
4 in December. We have another trial starting for Sony on
5 January 2nd in the District the Utah. That's why we asked
6 for mid December.

7 I don't know if December is out at this point but
8 we could certainly work toward that trial date. That's in
9 line with what the court said of the Westinghouse case.
10 That's a case of similar complexity as this one.

11 THE COURT: Okay. Do you want --

12 MR. WAMSLEY: Your Honor, James Wamsley again for
13 Vizio. As between December and January we would have a
14 preference for January.

15 THE COURT: Okay. I'm going to give you a little
16 more leeway. I will set it for January 26th then.
17 January 26th would be the trial date.

18 The pretrial would be January 10th. The motion
19 cut-off will be November 10th. The discovery, November 1st.

20 Counsel, I should talk to you a little bit about
21 claim construction. Each court does claim construction
22 differently, as you know.

23 We do claim construction as part of the summary
24 judgment. The Markman hearing is part of the summary
25 judgment.

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1 So I want to let you know that. Anything else I
2 should tell you about as far as procedure goes? I don't
3 know if you have any questions. I'm more than willing to
4 address them.

5 MR. WAMSLEY: If the court will indulge me, I do
6 have a few. There were some differences between the parties
7 in the 26(f) report on a number of issues. How would the
8 court like us to -- should we discuss those with you or how
9 would you like us to proceed with respect to those?

10 THE COURT: I will be happy to talk to you about
11 that. Each court does it differently. We've talked about
12 scheduling today and we've got those dates set.

13 Anything else I really put for the attorneys on
14 both sides to be able to resolve it as much as you can by
15 yourselves. You get much better results. You know your
16 case.

17 If you get input into it you get much better
18 results on it. Anything you can't agree on, bring to me by
19 way of written motion. I will be more than happy to decide
20 it. But I really ask and push for you guys to put together
21 as much as you can yourselves. If you can't do it anymore I
22 will be happy to decide.

23 The trouble is, once I decide then your input is
24 gone. If you decide it yourselves you have much more
25 input, comes out much better results for both sides.

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1 My suggestion is and one of the things you learn
2 in this court and I have no problem, particularly with
3 patent law because it's almost never a problem but the
4 civility and professionalism of the attorneys in this court
5 and working together I put a lot of emphasis on.

6 Probably more so than most courts. I really like
7 the idea of the attorneys being the attorneys and resolving
8 things in a very professional way. I have no problem
9 deciding any issue you want to bring before the court but it
10 has to be by written motion.

11 The biggest decision is who buys who coffee when
12 you to go down and talk about this.

13 (LAUGHTER)

14 THE COURT: Anything else I can do for you? If
15 not, thank you very much.

16 Oh counsel, your trial estimate on the, I believe one
17 was 20 days and one was 10 days. I'm going to leave those
18 like everybody else, leave those trial estimates until we
19 get to trial. I would be surprised if this was more than
20 two weeks. I don't want to get into that until I find out
21 what the witnesses are going to testify to, what's the
22 complexity, what patents are involved, etc. Okay.

23 (PROCEEDINGS WERE ADJOURNED)

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